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SHENG (TED) TAI TSAO
2979 HEIDI DRIVE
SAN JOSE, CA 95132

EXAMINER

CHANKONG, DOHM

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/726,897	Applicant(s) TSAO, SHENG (TED)	
	Examiner DOHM CHANKONG	Art Unit 2452	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 31-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This non-final rejection is in response to Applicant's preliminary amendment filed on 6/12/2009. Applicant has cancelled claims 1-30 and added claims 31-51. Accordingly, Applicant presents claims 31-51 for examination.

I. CLAIM REJECTIONS – 35 U.S.C. § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

A. Claims 31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are replete with grammatical and statutory errors. In addition to correcting the errors detailed in the following section, Applicant should go over each claim to insure grammatical correctness and compliance with the second paragraph of 35 U.S.C. § 112.

Claim 31

Claim 31 is rejected for lacking proper antecedent basis for "the cached web page" and "the downloading file stream." The phrases "to accesses [sic] a web-page", "without goes [sic] through said system", and "instructing the targeted system to receiving [sic]" are grammatically improper.

Claim 32

The phrases "provide the user from a wireless device's web browser to access the web page", "provide the user from a personal desktop or laptop to access the web page", and "provide user from a server's web browser to access the web page" do not make sense because it is not

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clear what is being provided to the user and what claim element is doing the providing. The phrase “and provide user [sic] from a server’s web browser” is grammatically improper.

Claim 33

The phrases “a server unit connects to a network”, “the server unit is configured”, “the server unit facilitates”, and “the server unit also facilitates” are all improperly written as method steps when claim 33 is an apparatus claim. The claims should be rewritten into apparatus-type limitations and not method steps. That is, the limitations must effect the structure of the server system. See MPEP § 2114.

The phrase “which to be partitioned by one or more administration users” is confusing because it is not clear what is being partitioned. Specifically, it is not clear if the server unit or the one or more storage devices are being partitioned.

The phrase “and be assigned to each wireless device as its external storage” is also confusing because it is not clear what is being assigned to each of the wireless devices. Specifically, it is not clear if the server unit or the one or more storage devices are assigned to the wireless device.

Claim 33 also lacks proper antecedent basis for “the files and file-folders.”

The phrase “facilitates each user’s one or more tasks to be run concurrently” is confusing because if there is only one task, it is not clear how one task can be running “concurrently.” It is also not clear what elements are running “concurrently” – if the one or more tasks are running concurrently with one another or if the task of downloading files from the remote site to the external storage is run “concurrently” with some other task in the browser.

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The phrase “one or more tasks” is confusing because its relationship to the previously claimed “tasks” is not clear. Specifically, it is not clear if the “one or more tasks” are referring to the same or different tasks. There should be language either linking (e.g., “a plurality of tasks”, “the plurality of tasks”) or differentiating (e.g., “a first task”, “a second task”) between the terms.

Claim 34

The phrase “the server unit facilitates” is improperly written as method steps when claim 34 is an apparatus claim. The claims should be rewritten into apparatus-type limitations and not method steps. That is, the limitations must effect the structure of the server system. See MPEP § 2114.

The phrase “a web browser” is confusing because it conflicts with the prior use of the term in parent claim 33. It is not clear if the “web browser” in claim 34 is intended to refer to the same “web browser” claimed in claim 33. If so, the terms should be properly linked (e.g., “the web browser”).

The phrase “to select one storage device at time [sic] from the displayed a list [sic] of one or more storage devices on the server unit” is improper. Also “the displayed a list [sic]” lacks proper antecedent basis.

Claim 34 also lacks proper antecedent basis for “the list” and “the requirement.”

Claim 35

The phrase “the server unit also facilitates” is improperly written as method steps when the claim is an apparatus claim. The claims should be rewritten into apparatus-type limitations and not method steps. That is, the limitations must effect the structure of the server system. See MPEP § 2114.

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The phrase “each administration user” is confusing because it conflicts with the phrase “one or more administration users” in parent claim 33. It is not clear if the “administration user” in claim 35 is intended to refer to the same “administrator user(s)” in claim 33. If so, the terms should be properly linked (e.g., “the one or more administration user”).

The phrase “a web browser” is confusing because it conflicts with the prior use of the term in parent claim 33. It is not clear if the “web browser” in claim 34 is intended to refer to the same “web browser” claimed in claim 33. The phrase “The claim 35” is improper.

The phrase “a corresponding storage volume” is confusing because it conflicts with the prior use of the term “storage volume” found in parent claim 34. It is not clear if the “storage volume” in claim 35 is intended to be the same or different from the storage volume of claim 34.

Claim 36

The phrase “said user from wireless device’s web browser to [sic] access and manage the files and file-folders” is grammatical improper. The phrase “the assigned storage” is confusing because it is not clear if the phrase is intended to refer to “the assigned external storage.”

Claim 36 is also rejected for comprising a method step which is confusing because the claim is directed to an apparatus. The claims should be rewritten into apparatus-type limitations and not method steps. That is, the limitations must effect the structure of the server system. See MPEP § 2114.

Claim 37

The phrases “a user”, “a wireless device’s web browser”, “a network”, “a remote web-site” are confusing because it conflicts with the prior use of the terms in parent claim 33. Claim

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31 is rejected for lacking proper antecedent basis for "the cached web page" and "the downloading file stream." The phrase "without goes [sic] through said system" is improper.

Claim 37 is also rejected for comprising a method step which is confusing because the claim is directed to an apparatus. The claims should be rewritten into apparatus-type limitations and not method steps. That is, the limitations must effect the structure of the server system. See MPEP § 2114.

Claim 38

The phrase "said facilitates user [sic] from wireless device's web browser" is grammatically improper. The phrase "one or more storage devices" is confusing because it conflicts with the prior use of the same term in claim 33. The phrase "administration user's web browser" is confusing because it conflicts with the prior use of the same term in claim 33.

The phrase "one or more storages volume" is grammatically incorrect. The phrase "the requirement for the user" lacks proper antecedent basis. The phrase "a corresponding user" is confusing because it conflicts with all prior uses of the "user" in previous claims.

Claim 38 is also rejected for comprising a method step which is confusing because the claim is directed to an apparatus. The claims should be rewritten into apparatus-type limitations and not method steps. That is, the limitations must effect the structure of the server system. See MPEP § 2114.

Claim 39

The phrase "administration user" is confusing because it conflicts with the phrase "one or more administration users" in parent claim 33.

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Claim 39 is also rejected for comprising a method step which is confusing because the claim is directed to an apparatus. The claims should be rewritten into apparatus-type limitations and not method steps. That is, the limitations must effect the structure of the server system. See MPEP § 2114.

Claim 40

There are multiple uses of the phrase “one or more storage devices.” The phrase “one or more storage devices” is confusing because the relationship between the phrases within claim 40 is not clear. Applicant should amend with proper identifiers such as “a” or “the” to clarify the relationship.

Claim 40 also lacks proper antecedent basis for “the services and data.” The phrase “in dependent of other server units” is grammatically improper. The phrase “facilitates each user’s one or more tasks to be run concurrently” is confusing because if there is only one task, it is not clear how one task can be running “concurrently.” It is also not clear what elements are running “concurrently” – if the one or more tasks are running concurrently with one another or if the task of downloading files from the remote site to the external storage is run “concurrently” with some other task in the browser.

Claim 41

The phrase “a web browser” is confusing because it conflicts with the prior use of the term in parent claim 40. Claim 41 lacks proper antecedent basis for “the requirement.”

Claim 41 is also rejected for comprising a method step which is confusing because the claim is directed to an apparatus. The claims should be rewritten into apparatus-type limitations

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and not method steps. That is, the limitations must effect the structure of the server system. See MPEP § 2114.

Claim 42

The phrase “a web browser” is confusing because it conflicts with the prior use of the term in parent claim 40. The phrase “a corresponding storage volume” is confusing because it conflicts with the prior use of the term “storage volume” found in parent claim 40. The phrase “each file system” is also confusing because it implies that there are multiple file systems but the claim only claims “one file system.”

Claim 42 is also rejected for comprising a method step which is confusing because the claim is directed to an apparatus. The claims should be rewritten into apparatus-type limitations and not method steps. That is, the limitations must effect the structure of the server system. See MPEP § 2114.

Claim 43

The phrase "corresponding wireless device" is confusing because it conflicts with the phrase "a corresponding user's wireless device" in claim 40. The phrase “the user of each wireless device” lacks proper antecedent basis.

Claim 43 is also rejected for comprising a method step which is confusing because the claim is directed to an apparatus. The claims should be rewritten into apparatus-type limitations and not method steps. That is, the limitations must effect the structure of the server system. See MPEP § 2114.

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Claim 44

The phrase “the user from wireless device’s web browser to [sic] access and manage the files and file-folders” is grammatical improper. The phrase “the assigned storage” is confusing because it is not clear if the phrase is intended to refer to "the assigned external storage.” The phrase “The claim 43” is grammatically incorrect.

Claim 44 is also rejected for comprising a method step which is confusing because the claim is directed to an apparatus. The claims should be rewritten into apparatus-type limitations and not method steps. That is, the limitations must effect the structure of the server system. See MPEP § 2114.

Claim 45

The phrase "said provider the user from wireless device to access and manage assigned external storage" is grammatically improper. The phrases “a user”, “a wireless device’s web browser”, “a network”, “a remote web-site” are confusing because it conflicts with the prior use of the terms in parent claim 40.

Claim 45 is rejected for lacking proper antecedent basis for "the cached web page” and “the downloading file stream.” The phrase “without goes [sic] through said system" is improper. The phrase “The claim 43” is grammatically incorrect.

Claim 45 is also rejected for comprising a method step which is confusing because the claim is directed to an apparatus. The claims should be rewritten into apparatus-type limitations and not method steps. That is, the limitations must effect the structure of the server system. See MPEP § 2114.

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Claim 46

The phrase "one or more storage devices" is confusing because it conflicts with the prior use of the same term in claim 40. The phrase "administration user's web browser" is confusing because it conflicts with the prior use of the same term in claim 40.

The phrase "one or more storages volume" is grammatically incorrect. The phrase "the requirement for the user" lacks proper antecedent basis. The phrase "a corresponding user" is confusing because it conflicts with all prior uses of the "user" in previous claims.

Claim 46 is also rejected for comprising a method step which is confusing because the claim is directed to an apparatus. The claims should be rewritten into apparatus-type limitations and not method steps. That is, the limitations must effect the structure of the server system. See MPEP § 2114.

Claim 47

The phrase "the control system also facilitates each user including the administration user from web browser" is confusing because the language requires multiple users to use a single web browser. The phrase "The claim 46" is grammatically incorrect.

Claim 47 is also rejected for comprising a method step which is confusing because the claim is directed to an apparatus. The claims should be rewritten into apparatus-type limitations and not method steps. That is, the limitations must effect the structure of the server system. See MPEP § 2114.

Claim 48

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The phrase “to receive, identify, and runs [sic] each task in the background” is grammatically improper. The term “the background” lacks proper antecedent basis. The phrase “a corresponding server unit” is confusing because it conflicts with the prior use of the phrase in claim 46. The phrase “The claim 47” is grammatically incorrect.

Claim 48 is also rejected for comprising a method step which is confusing because the claim is directed to an apparatus. The claims should be rewritten into apparatus-type limitations and not method steps. That is, the limitations must effect the structure of the server system. See MPEP § 2114.

Claim 49

The phrases “the request application service and data” and “the corresponding user’s wireless devices” lack proper antecedent basis. The phrase “The claim 47” is grammatically incorrect.

Claim 49 is also rejected for comprising a method step which is confusing because the claim is directed to an apparatus. The claims should be rewritten into apparatus-type limitations and not method steps. That is, the limitations must effect the structure of the server system. See MPEP § 2114.

Claim 50

The phrases “a virtual server” and “one or more users” are confusing because it conflicts with the prior use of the term in claim 40 and the other uses of the same term within claim 50.

Claim 50 is also rejected for comprising a method step which is confusing because the claim is directed to an apparatus. The claims should be rewritten into apparatus-type limitations

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and not method steps. That is, the limitations must effect the structure of the server system. See MPEP § 2114.

The limitations “form [sic] a virtual server on a LAN to be accessed by” are grammatically incorrect.

Claim 51

The phrase “administration user” is confusing because it conflicts with the phrase “one or more administration users” in parent claim 40.

The phrase “the server unit” is confusing because parent claim 40 recites “one or more server units.” Therefore, it is unclear if “the server unit” is intended to refer to one or more server units. The phrase “The virtual claim 50” is grammatically incorrect.

Claim 51 is also rejected for comprising a method step which is confusing because the claim is directed to an apparatus. The claims should be rewritten into apparatus-type limitations and not method steps. That is, the limitations must effect the structure of the server system. See MPEP § 2114.

II. CLAIM REJECTIONS – 35 U.S.C. § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

A. Claims 31-33, 37, and 45 are rejected under 35 U.S.C. § 102(b) as being anticipated by *O'Brien et al.*, U.S. Patent No. 6,351,776 [*“O'Brien”*].

Claim 31

O'Brien discloses a method of out-band downloading a file from a web-site to targeted system comprising:

facilitating a user from a web-browser of a system via a network of LAN, Intranet or Internet to accesses a web-page on a remote web site [abstract: disclosing using a browser to access a user-interface | column 2 «lines 17-20»], where the web-page contains file download information including the file path, the IP address of the remote web site, and related information for downloading [column 2 «lines 17-25»: disclosing the web page have URL information (i.e., file path and IP address of the remote web site)];

instructing the system to obtain the file download information contained in the web page from the cached web page on the system [Fig. 11 «item 1114» | column 18 «lines 33-39»:
disclosing the user has the URL which requires that the system (i.e., the user's computer) had obtained the URL in a prior step];

instructing the system to send the obtained file download information to a permitted targeted system via the network [Fig. 11 «item 1114» | column 18 «lines 33-34»: disclosing that the user submits the URL information to the Xdrive system (i.e., permitted target system)];

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instructing the targeted system to receive said file download information and send a download request to the remote web site via the network [column 18 «lines 64-66»: disclosing the Xdrive system contacts the URL site to begin the download process]; and

instructing the targeted system to receiving the downloading file stream from the remote web-site directly into a designated file system of the targeted system without goes through said system [column 4 «lines 7-10»: disclosing the internet-to-internet file transfer bypasses the user's device because the files are saved to the user's Xdrive].

Claim 32

O'Brien discloses wherein said web browser of a system and the targeted system further includes:

provide the user from a wireless device's web browser to access the web page [column 2 «lines 46-47»: a laptop is a type of wireless device], provide the user from a personal desktop or laptop to access the web page [column 2 «lines 46-47»: a laptop is a type of wireless device], and provide user from a server's web browser to access the web page [column 3 «line 39-41»]; and

provide another remote laptop, desktop, or server as the targeted system [column 3 «lines 15-22»: *O'Brien's* xdrive system reads on the claimed targeted system].

Claim 33

O'Brien discloses a system provides external storage for wireless devices that comprises: a server unit connects to a network and to be accessed by one or more users from each of their own web browser via the network of LAN, Intranet or Internet [column 7 «lines 5-11 and 36-41»: disclosing a user using a browser-based application and accessing the xdrive through the internet];

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the server unit is configured with one or more storage devices, which to be partitioned by one or more administration users from each of their own web browser over the network, and be assigned to each wireless device as its external storage [column 3 «lines 15-21»: disclosing users are allocated individual space or their own individual Xdrive]; and

the server unit facilitates each user of the wireless devices from his/her web browser to perform tasks of accessing and managing the files and file-folders in the wireless device' s assigned external storage, where the tasks include downloading files from remote web sites into the assigned external storage on the server unit [column 4 «lines 7-10»: *O'Brien* allows internet-to-internet transfer from the server to the user's xdrive]; and

the server unit also facilitates each user's one or more tasks to be run concurrently in the user's web browser [column 4 «lines 33-34»: disclosing providing browser-based access to the files which requires that the tasks be run within the browser. See also the § 112 rejection above as to the confusion regarding the "concurrently" term].

Claims 37 and 45

Claims 37 and 45 are rejected for at least the same reasons set forth for claim 31.

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III. CLAIM REJECTIONS – 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
- A. **Claims 34-36, 38-44, and 46-51 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *O'Brien* in view of Hochmuth et al., U.S. Patent No. 7,500,069 [“Hochmuth”].**

Claims 34 and 41

As to claim 34, *O'Brien* as modified Hochmuth discloses wherein the server unit facilitates each administration user from a web browser to select one storage device at time from the displayed a list of one or more storage devices on the server unit to partition the selected storage device into one or more storage volumes for all storage devices on the list in response to the requirement of providing desired sized external storage to each wireless device [Hochmuth, column 8 «lines 8-17»: disclosing providing a GUI to an administrator for allocating storage to clients | column 11 «lines 1-4»: providing a desired capacity for the storage].

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It would have been obvious to one of ordinary skill in the art to have modified *O'Brien's* Xdrive system to include an administrative GUI as taught in Hochmuth. Such a modification to *O'Brien's* system is an example of using a known technique (Hochmuth's administrative GUI to allocate space to clients) to improve similar systems (*O'Brien's* online Xdrive storage space) in the same way. See MPEP § 2143.

Claim 41 is rejected for at least the same reasons set forth for claim 34.

Claims 35 and 42

As to claim 35, *O'Brien* as modified by Hochmuth discloses wherein the server unit also facilitates each administration user from a web browser to create one file system on a corresponding storage volume at a time for all storage volumes; and for all file systems, to assign a file system to a corresponding user's wireless device for the user from the wireless device's web browser to access and manage files and file-folders on the assigned external storage [*O'Brien*, Fig. 2 «item 204» | column 9 «lines 3-9»].

Claim 42 is rejected for at least the same reasons set forth for claim 35.

Claims 36, 43, and 44

As to claim 36, *O'Brien* as modified by Hochmuth discloses creating file folders and directories structure on the assigned storage, storing files on the wireless device into the assigned storage [*O'Brien*, column 3 «lines 15-17»],

performing data management tasks for the assigned storage including deleting, renaming, moving, and copying file-folders, directories and files, and including accessing and retrieving files from the assigned external storage to the user's wireless device [*O'Brien*, column 8 «lines 39-43»];

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wherein said files includes streaming video, audio, digital picture, and message file [O'Brien, column 2 «lines 22-24»].

Claims 43 and 44 are rejected for at least the same reasons set forth for claim 36.

Claims 38 and 46

As to claim 38, *O'Brien* as modified by Hochmuth discloses the server unit facilitates to: display one or more storage devices of the server unit into administration user's web browser in response to the requirement for the user to perform partitioning each storage device into one or more storages volume [Hochmuth, column 8 «lines 8-17»: displaying the available file servers (i.e., storage devices) in the administrator's GUI];

display one or more storage volumes of the server unit into administration user's web browser in response to the requirement for the user to perform creating a file system for each corresponding storage volume [Hochmuth, column 8 «lines 8-17»: displaying the available LUNs (i.e., storage devices)]; and

display assigned external file system into a corresponding user's wireless device's web browser in response to the user of the wireless device to perform tasks of accessing and managing one or more files and file-folder in the assigned external storage [O'Brien, column 3 «lines 57-65»: displaying a user interface for accessing the user's Xdrive file system].

See the rejection of claim 34 for reasons and motivation to combine *O'Brien* and Hochmuth.

Claim 46 is rejected for at least the same reasons set forth for claim 38.

Claims 39 and 51

As to claim 39, *O'Brien* as modified by Hochmuth discloses the system further includes:

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provide administration user from wireless device's web browser to perform tasks including partitioning the storage devices and creating file systems for the server unit [Hochmuth, Fig. 1 «item 31»: disclosing a mobile node | column 8 «lines 8-17»];

provide administration user from laptop/desktop's web browser to perform tasks including partitioning the storage devices and creating file systems for the server unit [Hochmuth, Fig. 1 «item 32» | column 8 «lines 8-17»]; and

provide administration user from server unit's web browser to perform tasks including partitioning the storage devices and creating file systems for the server unit [Hochmuth, Fig. 1 «item 50»: disclosing an administrative module on the server | column 8 «lines 8-17»].

See the rejection of claim 34 for reasons and motivation to combine *O'Brien* and Hochmuth.

Claim 51 is rejected for at least the same reasons set forth for claim 39.

Claim 40

O'Brien as modified by Hochmuth discloses a virtual server provides external storage for one or more wireless devices that comprises:

one or more server units, where each server unit configured with one or more storage devices [*O'Brien*, Fig. 12: disclosing an xdrive server]; and

a control system connects and controls said one or more server units via a network of LAN, Intranet or Internet to form a central controlled distributed scalable virtual machine ("CCDSVM") to be accessed by one or more users [Fig. 12 «item 1218» | column 19 «line 64» to column 20 «line 7»: disclosing a resource access layer which is accessed by a user to access the transaction database. The limitation “to form a central controlled distributed scalable virtual

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machine ("CCDSVM") is not given any patentable weight since it does not affect the structure of the claimed virtual server (see MPEP § 2114)], wherein

the control system facilitates each administration user from a web browser over the network to partition one or more storage devices on each server unit and to assign each partitioned storage volume of each storage device to a corresponding user's wireless devices as external storage [Hochmuth, column 8 «lines 8-17»]; and wherein

the control system also facilitates each user from a wireless device's web browser via the network to perform tasks of accessing and managing one or more files and file-folders on the assigned external storage of a assigned server unit [*O'Brien*, column 8 «lines 39-43»], and the control system also facilitates each user's one or more tasks to be run concurrently in the user's web browser [*O'Brien*, column 4 «lines 33-34»: disclosing providing browser-based access to the files which requires that the tasks be run within the browser. See also the § 112 rejection above as to the confusion regarding the "concurrently" term]; and wherein

each server unit provides the services and data to each assigned wireless devices in dependent of other server units and without going through the control system in response to the user of each wireless device performing said tasks [*O'Brien*, column 15-44»].

See the rejection of claim 34 for reasons and motivation to combine *O'Brien* and Hochmuth.

Claim 47

O'Brien as modified by Hochmuth discloses the control system also facilitates each user including the administration user from web browser to specify the task information for performing each task [*O'Brien*, column 20 «lines 4-7»: disclosing that the resource access layer

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allows users to access and invoke operations on the server system], and to transmit each task information from the web browser to the control system [*O'Brien*, column 19 «lines 28-63»].

Claim 48

O'Brien as modified by Hochmuth discloses providing the control system to receive, identify and runs each task in the background, distribute each task to a corresponding server unit for actual executing, and provide task status or result back to administration user's web browser in response to each user's tasks [Hochmuth, Fig. 1 «item 50» | column 4 «lines 14-17» | column 8 «lines 17-20»: allowing the administrator to monitor resource consumption].

See the rejection of claim 34 for reasons and motivation to combine *O'Brien* and Hochmuth.

Claim 49

O'Brien as modified by Hochmuth discloses providing each server unit delivers the requested application service and data directly back to the corresponding user's wireless devices without going through the control system and independent of other server units in response to each user's performed tasks of accessing application and data service [*O'Brien*, Fig. 12: disclosing the request processing layer returns requested files to the client's file access service | column 11 «lines 56-62»].

Claim 50

O'Brien as modified by Hochmuth discloses:

form a virtual server on a LAN to be accessed by one or more users including the administration user from each of their own web browser via said network [Hochmuth, column 4 «lines 29-31»];

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form a virtual server over a Intranet to be accessed by one or more users including the administration user from each of their own web browser via said network [Hochmuth, column 6 «lines 5-7»: disclosing a VPN (i.e., intranet)]; and

form a virtual server over the Internet to be accessed by one or more users including the administration user from each of their own web browser via said network [Hochmuth, Fig. 1 «item 15»].

See the rejection of claim 34 for reasons and motivation to combine *O'Brien* and Hochmuth.

IV. CONCLUSION

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DOHM CHANKONG whose telephone number is (571)272-3942. The examiner can normally be reached on Monday to Friday [10 am - 6 pm].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thu Nguyen can be reached on (571)272-6967. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/DOHM CHANKONG/
Primary Examiner, Art Unit 2452